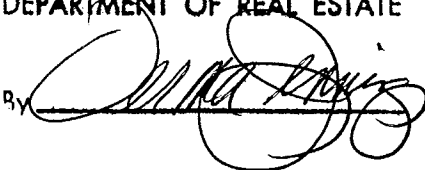


1 Department of Real Estate
320 West Fourth Street, Ste. 350
2 Los Angeles, California 90013
3 (213) 576-6982

FILED
AUG 12 2009
DEPARTMENT OF REAL ESTATE
By 

8 DEPARTMENT OF REAL ESTATE
9 STATE OF CALIFORNIA

10 * * * * *

11 To:)	
)	
12 BEST WAY MARKETING, INC.)	No. H-36173 LA
13 dba Foreclosure Mediator)	
Specialists,)	<u>ORDER TO DESIST</u>
)	
14 RICHARD HAAG dba No Me Quite)	<u>AND REFRAIN</u>
15 Mi Casa,)	
)	(B&P Code Section
16 HENRY FERRUFINO,)	10086)
17 MIGUEL CICCIA, and)	
JUAN CARLOS FERRUFINO,)	
)	

18
19 The Commissioner (Commissioner) of the California
20 Department of Real Estate (Department) caused an investigation to
21 be made of the activities of BEST WAY MARKETING, INC. dba
22 Foreclosure Mediator Specialists, RICHARD HAAG dba No Me Quite Mi
23 Casa, HENRY FERRUFINO, MIGUEL CICCIA, and JUAN CARLOS FERRUFINO.
24 Based on that investigation, the Commissioner has determined that
25 you have engaged in, are engaging in, or are attempting to engage
26 in, acts or practices constituting violations of the California
27 Business and Professions Code (Code), including violating Code

1 Section 10130 by engaging in the business of, acting in the
2 capacity of, and/or advertising or assuming to act as, a real
3 estate broker in the State of California within the meaning of
4 Code Sections 10131(d) (performing services for borrowers in
5 connection with loans secured by real property), 10131(e) (offer
6 to sell, buy or exchange a promissory note, and 10131.2 (advance
7 fee handling). Furthermore, based on the investigation, the
8 Commissioner hereby issues the following Findings of Fact,
9 Conclusions of Law, and Desist and Refrain Order under the
10 authority of Section 10086 of the Code.

11 Whenever acts referred to below are attributed to "you"
12 or BEST WAY MARKETING, INC., RICHARD HAAG, HENRY FERRUFINO,
13 MIGUEL CICCIA, and JUAN CARLOS FERRUFINO, those acts are alleged
14 to have been done by acting by said parties, or by and/or through
15 one or more agents, associates, affiliates, and/or co-
16 conspirators.

17 FINDINGS OF FACT

- 18 1. At no time herein mentioned have you, and each of you, been
19 licensed by the Department as a real estate broker.
- 20 2. During 2008, you have engaged in a business, for or in
21 expectation of compensation or collection of an advance fee, you
22 solicited or offered to provide loan modifications, re-finance of
23 a loan, or short-sale negotiation to owners of real property to
24 modify the terms of the loans on the real property.
- 25 3. MIGUEL CICCIA demanded an advance fee in the amount of \$1,995
26 from Jose and Elivia Mendoza "Mendozas" for loan modification
27 services and promised a lower mortgage payment within three

1 months on the subject property located at 5591 N. Callisch
2 Avenue, Fresno, California. Thereafter, MIGUEL CICCIA and the
3 Mendozas entered into a loan modification agreement.

4 4. JUAN CARLOS FERRUFINO demanded an advance fee in the amount
5 of \$1,000 from Antonia Pineda ("Pineda") for loan modification
6 services and promised her that she would not lose her home
7 located at 1187 King St., Parlier, California. Thereafter, JUAN
8 CARLOS FERRUFINO and Pineda entered into a loan modification
9 agreement.

10 5. FORECLOSURE MEDIATOR SPECIALISTS demanded an advance fee in
11 the amount of \$1,995 from Lucia Chavez "Chavez" for loan
12 modification services and promised a lower mortgage payment on
13 her property located at 1133 Faller Ave., Sanger, California.
14 Thereafter, FORECLOSURE MEDIATOR SPECIALISTS and Chavez entered
15 into a loan modification agreement.

16 6. MIGUEL CICCIA and HENRY FERRUFINO demanded an advance fee in
17 the amount of \$1,995 from Yolanda Gonzalez "Gonzalez" for loan
18 modification services on her property located at 10167 Flower
19 St., Delhi, California. Thereafter, MIGUEL CICCIA and HENRY
20 FERRUFINO and Gonzalez entered into a loan modification
21 agreement.

22 CONCLUSIONS OF LAW

23 7. Based on the Findings of Fact contained in paragraphs 1
24 through 6, your acts, acting by yourself, or by and/or through
25 one or more agents, associates, affiliates, and/or co-
26 conspirators solicited borrowers and performed services for those
27 borrowers and lenders in connection with loans secured directly

1 or collaterally by one or more liens on real property and
2 charged, demanded or collected advance fees for the services to
3 be provided, which acts require a real estate broker license
4 under Sections 10131(d), 10131(e), and 10131.2 of the Code during
5 a period of time when you were not licensed by the Department as
6 a real estate broker.

7 DESIST AND REFRAIN ORDER

8 Based on the Findings of Fact and Conclusions of Law
9 stated herein, you, BEST WAY MARKETING, INC. dba Foreclosure
10 Mediator Specialists, RICHARD HAAG dba No Me Quite Mi Casa, HENRY
11 FERRUFINO, MIGUEL CICCIA, and JUAN CARLOS FERRUFINO, and each of
12 you, whether doing business under your own names, or any other
13 names or fictitious names, ARE ORDERED to

14 1. immediately desist and refrain from performing
15 any acts within the State of California for which a real estate
16 broker license is required. In particular, you are ordered to
17 desist and refrain from:

18 (i) soliciting borrowers and/or performing services
19 for borrowers or lenders in connection with loans secured
20 directly or collaterally by one or more liens on real property,
21 and

22 (ii) from charging, demanding, or collecting an
23 advance fee for any of the services you offer to others, unless
24 and until you obtain a real estate broker license issued by the
25 Department, and until you demonstrate and provide satisfactory

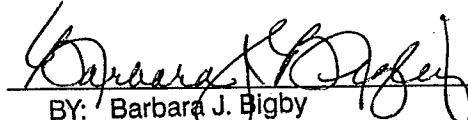
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27 ///

1 evidence to the Commissioner that you are in full compliance
2 with all of the requirements of the Code and Regulations relating
3 to charging, collecting, and accounting for advance fees.

4 DATED: 7-6-09.

5 JEFF DAVI
6 Real Estate Commissioner

7 
8 BY: Barbara J. Bigby
9 Chief Deputy Commissioner

10 **Notice:** Business and Professions Code Section 10139 provides
11 that "Any person acting as a real estate broker or real estate
12 salesperson without a license or who advertises using the words
13 indicating that he or she is a real estate broker without being
14 so licensed shall be guilty of a public offense punishable by a
fine not exceeding twenty thousand dollars (\$20,000), or by
imprisonment in the county jail for a term not to exceed six
months, or by both fine and imprisonment; or if a corporation, be
punished by a fine not exceeding sixty thousand dollars
(\$60,000)."

15 cc: Best Way Marketing, Inc.
16 dba Foreclosure Mediator Specialists
17 Henry Ferrufino
18 Michael Ciccia
19 1415 N. Main St.
20 Santa Ana, California 92701

21 Richard Haag
22 Dba No Me Quite Mi Casa
23 5303 Rural Ridge
24 Anaheim Hills, CA 92807

25 Juan Carlos Ferrufino
26 215 S. Owens Dr.
27 Anaheim, CA 92808

JRP:SB